

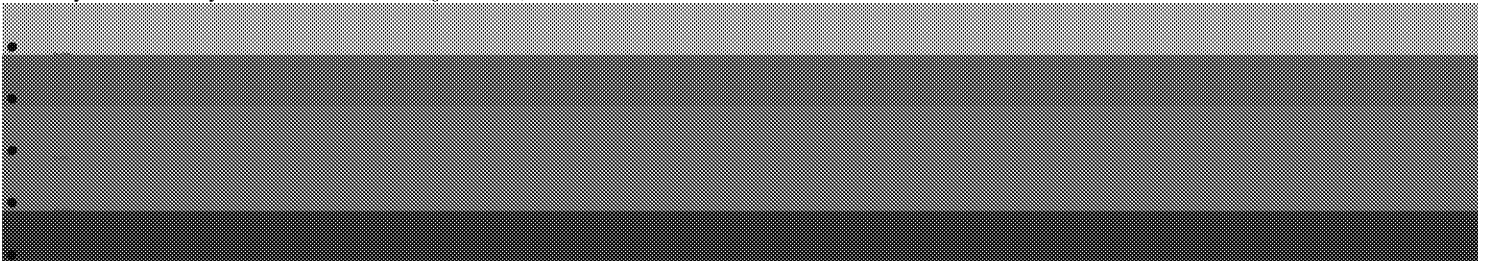
**From:** Leopold, Matt (OGC) [Leopold.Matt@epa.gov]  
**Sent:** 8/24/2020 5:24:07 PM  
**To:** Gunasekara, Mandy [gunasekara.Mandy@epa.gov]  
**CC:** Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]  
**Subject:** RE: Just sent

Yes, here it is. It is consistent with the draft and my quote of it is correct. Let me know if we get inquiries. Thanks all.

[https://www.army.mil/article/238426/army\\_finds\\_pebble\\_mine\\_project\\_cannot\\_be\\_permitted\\_as\\_proposed](https://www.army.mil/article/238426/army_finds_pebble_mine_project_cannot_be_permitted_as_proposed)

# Army finds Pebble Mine project cannot be permitted as proposed

By U.S. Army Public Affairs August 24, 2020



This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the environmental impact statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

For more information, please contact Lt. Col. Crystal Boring, Army Public Affairs, at [crystal.x.boring.mil@mail.mil](mailto:crystal.x.boring.mil@mail.mil).

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**From:** Gunasekara, Mandy <[gunasekara.Mandy@epa.gov](mailto:gunasekara.Mandy@epa.gov)>  
**Sent:** Monday, August 24, 2020 1:21 PM  
**To:** Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>  
**Cc:** Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>  
**Subject:** RE: Just sent

This is good. Has the corps release gone out?

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**From:** Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>  
**Sent:** Monday, August 24, 2020 12:48 PM  
**To:** Gunasekara, Mandy <[gunasekara.Mandy@epa.gov](mailto:gunasekara.Mandy@epa.gov)>  
**Cc:** Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>  
**Subject:** FW: Just sent

Hi Mandy,

I appreciate all the edits. See a copy of the press release from the Corps below. In light of that, attached is the final version that I would like to go with. I'd be willing to omit the background portion if everyone thinks that is better. Please call me if you'd like to discuss. I'd ask OPA to release it in response to inquiries after we see what the Corps releases at 1:00 pm.

Matt

**Matthew Z. Leopold**  
General Counsel  
U.S. Environmental Protection Agency  
Office: (202) 564-8040  
Cell: Ex. 6 Personal Privacy (PP)

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and approved:

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b) (1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

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We are staffing it now. Additionally, he would like the

